

Filed for intro on 02/22/95
Senate Bill _____
By _____

House No. HB1792
By Bittle, Jr.

AN ACT to amend Tennessee Code Annotated, Section 50-7-205(a); Section 50-7-207(c)(6) and Section 50-7-403(d)(1), being portions of the Tennessee Employment Security Law and relative to unemployment compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-7-205(a), is amended by inserting between the words "insurance company" and the words "or corporation" the following language:

" , limited liability company"

SECTION 2. Tennessee Code Annotated, Section 50-7- 207(c)(6)(F) is amended by deleting the language "by an inmate of a custodial or penal institution; or" and substituting instead the following language:

"in a custodial or penal institution by an inmate thereof; or"

SECTION 3. Tennessee Code Annotated, Section 50-7-403(d)(1)(C) is amended by deleting the language in this subdivision in its entirety and substituting instead the following language:

(i) Except as provided in Section 50-7- 304(b)(2)(D) no employer's account shall be charged hereunder for any benefits paid to a former employee who left the employment of such employer under conditions which result in the imposition of a disqualification under Section 50-7-303(a)(1), (2), or (4), or which would have resulted in a disqualification under such subsection except for a following period of bona fide employment by another employing unit; however, if such employer fails to establish such fact by submitting such information as the commissioner may require within fifteen (15) calendar days after the date of mailing of written notification by the commissioner that the claimant has first filed a claim for benefits to the last known address of such employer or within fifteen (15) calendar days after the date such written notification is given to such employer, whichever first occurs, such employer's account will be charged for such benefit payments.

(ii) No employer's account shall be charged hereunder for any benefits paid to a former employee who left such employer to enter training approved under the Trade Act of 1974, as amended; provided, that the work left is not suitable employment as defined under Section 236(e) of the Trade Act of 1974, as amended.

(iii) The noncharging provisions referred to in subdivisions (i) and (ii) herein do not apply to eligible employers who elect to reimburse the state for benefits paid in lieu of premiums, as provided by the Federal Unemployment Tax Act or this chapter."

SECTION 4. Tennessee Code Annotated, Section 50-7- 403(d)(1)(D) is amended by deleting the language in this subdivision in its entirety and substituting instead the following language:

"(i) Benefits paid to an individual who, during such individual's base period, was paid wages for part- time employment with an employer shall not be used as a factor in determining the future premium rate of such an employer if such employer continues to give employment to the claimant to the same extent while such claimant is receiving

benefits as during the base period; however, if such employer fails to establish such fact by submitting such information as the commissioner may require within fifteen (15) calendar days after the date of mailing of written notification by the commissioner that the claimant has first filed a claim for benefits to the last known address of such employer or within fifteen (15) calendar days after the date such written notice is given to such employer, whichever first occurs, such employer's account will be charged for such benefit payments.

(ii) The noncharging provision referred to in subdivision (i) herein does not apply to eligible employers who elect to reimburse the state for benefits paid in lieu of premiums, as provided by the Federal Unemployment Tax Act or this chapter."

SECTION 5. This act shall take effect upon becoming law, the public welfare requiring it.